

REMARKS

The above-referenced patent application has been reviewed in light of the Office Action referenced above. Claims 1-16 are currently pending. Claims 1, 6, 11-13 and 16 are currently amended. Assignee respectfully acknowledges the Examiner's indication that 2-4 have been allowed. Claims 1 and 5-16 currently stand objected to, with claims 1, 5, 6, 11-13, and 16 objected to for certain informalities and claims 7-10, 14, and 15 objected to as being dependent on an objected to claim.

While Assignee does not concede the merit of the Examiner's claim objections, in the interest of advancing prosecution of the present application, Assignee has, nevertheless, amended the claims in light of the Examiner's suggested changes. For example, in claims 13 and 16 Assignee has amended the term "and/or" to be the term "or." However, Assignee would like to note that no subject matter has been surrendered by these amendments because these amendments do not narrow the scope of claims 13 and 16. Assignee respectfully asserts that the term "or" as used in claims 13 and 16 is understood by Assignee to have the same scope as the term "and/or." As such, Assignee respectfully asserts that no prosecution history estoppel should result from this amendment. In addition, in claims 1, 5, 6, and 11-12, the term "can be" has been amended to the term "are subsequently." Similarly, in claim 13 one instance of the term "can be" has been amended to the term "are", and a second instance of the term "can be" has been amended to be the term "are subsequently." However, Assignee respectfully asserts that these amendments are not narrowing amendments, and as such do not result in any prosecution history estoppel.

No new matter has been presented. Reconsideration of the above-referenced patent application in view of the foregoing amendments and remarks is respectfully requested.

The Examiner's statements of reasons for allowance of claim 1-16 are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents

cited by the Examiner; however, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignees' belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner, or file more detailed comments, does not give rise to any implication that the Assignee agrees with or acquiesce in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiesce is present.

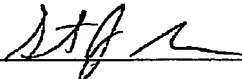
Attorney Docket: 112.P14220

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Consideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

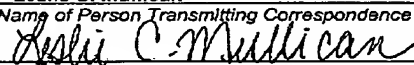
Dated: 10-04-06

Steven J Munson
Reg. No. 47,812

Berkeley Law and Technology Group, LLC
1700 NW 167th Place, Suite 240
Beaverton, OR 97006
Customer No. 43831

I hereby certify that this correspondence is being submitted via facsimile or deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 4, 2006
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Leslie C. Mullican
Name of Person Transmitting Correspondence

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